



App No 35520

P.O. Box 21311 ☒ Kalorama Station ☒ Washington DC 20009
202.483.6492

AGREEMENT

THIS AGREEMENT, made and entered into this 4th day of May, 1998 by and between Biznich, Inc. t/a Pharmacy Bar (hereinafter the "Applicant"), and PETER SCHOTT, on behalf of Kalorama Citizens Association (hereinafter the "Protestant").

WHEREAS, Applicant having filed an application with the District of Columbia Alcohol Beverage Control Board (hereafter "ABC Board") for issuance of a class CR License for the premises at 2337 18th St., N.W., Washington, DC 20009, which application is pending before the ABC Board in case No. 35520.

WHEREAS, Protestant having timely filed before the ABC Board a protest opposing the granting of the referenced application; and

WHEREAS, in recognition of the ABC Board's policy of encouraging parties to a protested proceeding to settle their differences by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby, subject to the approval of the ABC Board, Applicant will agree to adopt certain measures to address the Protestant's concerns and Protestant ~~will agree to the issuance of the ABC License, and withdrawal of the Protest;~~ ^{withdraws} KE 5/13/98 15/13/98

NOW, THEREFORE, in consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

1. Noise suppression: There shall be no live music performed in the establishment. Sound emanating from any part of the establishment shall not be audible in residential structures in the vicinity or on the sidewalks across the street from the Restaurant on 18th Street. The Restaurant's operations shall at all times be in compliance with the D.C. Noise Control Act. Applicant will encourage employees and patrons, by posted sign or other printed notation, to be considerate of residents in the neighborhood after departing the building, by keeping conversations and other noises at a level that will disturb the peace and tranquility of residents in the enjoyment of their homes or generate a noise complaint.

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Peter Schott ☒ President
Mike Gould ☒ Executive Vice President
Jim Nash ☒ Vice President
Larry Karr ☒ Treasurer
Ken Knott ☒ Secretary

2. Hours of Operation: Applicant shall open its doors to receive patrons from no earlier than 11:00_{am} until no later than legal last call. Alcoholic beverages may not be carried out of the establishment and shall only be available during hours expressed by law. Food service will be available at all times that alcoholic beverages are served. Alcohol shall be served between 11:00_{am} - legal last call.

3. Trash removal: Applicant will maintain regular trash/garbage removal service, regularly remove trash from the trash and dumpster area and see that those areas remain clean, and keep dumpster lids tightly closed and incapable of being entered by rodents, in order to limit odors and help control the pest and rodent population.

4. Removal of grease and oils: Applicant will provide for the proper removal of grease and oils and will not deposit these substances for removal in dumpster.

5. Removal of trash: Applicant will maintain free of trash and litter the adjacent rear alley area, and public space and street to a minimum distance of 18 feet from the curb, adjacent to the front of the building, in compliance with all applicable D.C. regulations in this respect, as often as needed (minimum of twice daily).

6. Food service to liquor ratio: Applicant will comply in all respects with the requirements of its license or other requirements of law, including maintaining the appropriate ratio between food service and liquor sales, refusing sales of alcohol or cigarettes to legally underage persons, and refusing to sell alcohol to inebriated patrons.

7. Ingress and Egress: No patron or ingress or egress at rear of building shall be permitted

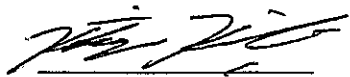
8. Public Space Usage: No tables nor structures shall be placed outside the building without proper licensing and notification process.

9. Employment practices: Applicant will make its best efforts to recruit employees from Adams Morgan and adjacent areas.

10. Right to protest: The parties agree that any failure of the Applicant to adhere to the foregoing commitments would constitute grounds for the Protestant to petition the Board for issuance of an order to Show Cause, as provided by in the D.C. Regulations.

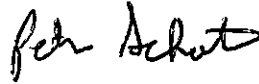
IN WITNESS WHEREOF, the Parties place their hands, on the date written above.

APPLICANT



Biznich, Inc. by

KRISTAPS KRESLINS



Peter Schott, President

Kalorama Citizens Association

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Biznich, Inc.

t/a Pharmacy Bar

Application for a Retailer's License

Class CT - new

at premises

2337 - 18th Street, N.W.

Washington, D.C.

App. No. 35520-98010P

Peter Schott, President, on behalf of the Kalorama Citizens Association, Protestant

Dimitri P. Mallios, Esquire, on behalf of the Applicant

**BEFORE: BARBARA L. SMITH, ESQUIRE, CHAIR;
DENNIS BASS, MEMBER;
ALLEN BEACH, MEMBER;
MARY EVA CANDON, ESQUIRE, MEMBER;
LAVERNE KING, MEMBER;
EYDIE WHITTINGTON, MEMBER;
DUANE WANG, MEMBER**

ORDER ON A WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on March 4, 1998, in accordance with D.C. Code Section 25-115(c)(5)(1996 Supp.), providing for remonstrants to be heard. Peter Schott, President, on behalf of the Kalorama Citizens Association, filed a timely protest letter dated February 6, 1998.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the Agreement dated May 4, 1998, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned.

Biznich, Inc.
t/a Pharmacy Bar
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Accordingly, it is this 20th day of May 1998, **ORDERED**
that:

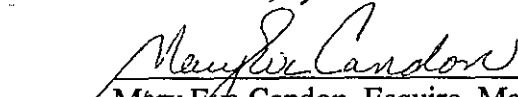
1. The protest of Peter Schott, President, on behalf of the Kalorama Citizens Association, be, and the same hereby, is **WITHDRAWN**;
2. The above-referenced Agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this Order;
3. The application of Biznich, Inc. t/a Pharmacy Bar for a retailer's class CT license - new at premises 2337 - 18th Street, N.W., Washington, D.C. be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestant, the Attorney for the Applicant, and the Applicant.

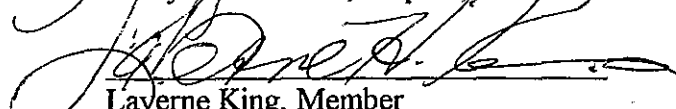
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL
BOARD

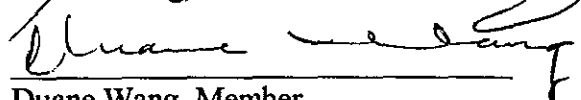

Barbara L. Smith, Esquire, Chair


Dennis Bass, Member


Allen Beach, Member


Mary Eva Candon, Esquire, Member


Laverne King, Member


Duane Wang, Member

Eydie Whittington